



project would be about \$60 million. The east portion would be constructed in 2009 and included the 13 miles of concrete patching between Halsted and Coolidge Highway, the rehabilitation of 42 bridges, which would include a new pedestrian structure west of the Orchard Lake Bridge and the project cost for this section would be \$14 million. The west portion of the project was the section between the railroad and Halsted and would include the 1 mile of reconstruction in the area of the railroad bridge, 3 miles of surfacing between Novi and Halsted going through the 275 and M-5 interchange, rehabilitation of 8 bridges with a total cost of \$46 million. He said the project would take two years to construct, 2009 and 2010. In 2009 the 3 miles of surfacing on I-96 and the majority of the overlay would be done during the evening hours, work would be done on two of the ramps at the interchange at Novi Road, there would be construction for an auxiliary lane for those going from southbound M-5 to Novi Road. They would also be working on the Novi Road, Meadowbrook and Ten Mile bridges and replacing the Halsted Road bridge. The major portion of the project, moved to 2010, would be the reconstruction of the railroad bridge. He said it had an insufficient under clearance and it needed to be raised two feet. In 2009 they would do the pre-stage work. In 2010 they would do the 1 mile reconstruction a half mile either side of the railroad, the rehabilitation of four ramps at the Novi Road interchange, westbound M-5 over eastbound I-696 bridge. Katie Noggle explained that additional lane closures would be required in 2009 during nights and weekends, and most of the work would be done during that time. In 2009 the Meadowbrook Road bridge would be under construction for one month and traffic would be detoured to Novi Road. The ramp from southbound M-5 to westbound I-96 would be closed for 2-1/2 months. At the Novi Road interchange the eastbound exit ramp would be closed for 10 nights to complete temporary widening required for the I-96 construction. The westbound exit ramp would be closed at night and for one weekend. In 2010, detours may last as long as 2-6 months. Mr. Sweeney said the east portion of the project was scheduled to begin in April of 2009 and ending in November 2009. It would be done in stages over four different segments and each of those stages would take one to two months. He said the west portion would begin in April 2009 and ending in October of 2009 and starting back up in 2010 with the entire project coming to a close in November of 2010.

### **3. Water System Master Plan - Rob Hayes and Stantec**

Christopher Rybak presented the plan to Council and said the City's GIS data base was very good and that's where they began with the study. He said there were four pressure districts and 90% of the water came from the north side of the City to the system because there was a high grade on the north side and lower ground elevations on the south side of the City. In addition, there was the Island Lake pressure district, which was supplied by a pump station. Mr. Rybak said after looking at the data of what the system demands were they determined the City could start looking at build out for the City as far as new growth areas.

## **REPORTS**

**1. MANAGER/STAFF - None**

**2. ATTORNEY – NONE**

**AUDIENCE COMMENT**

**Steve Babinchak**, 45900 W 11 Mile Road, voiced his concerns about the proposed temple on Taft Road stating his objections were for the adverse impact on the habitat. He was concerned about wetland removal, habitat destruction and woodland destruction. He noted he has always been involved with the environment and wanted to avoid an environmental catastrophe. He said he was a strong supporter of property owner rights and felt the owners of the proposed temple property didn't understand the impact it would have on the community including woodlands, traffic and deficiency of parking. He commented the City's consultant noted the reasons why the project should not move forward.

\*Member Mutch arrived at 7:44 P.M.

**Tom Harvey**, noted the original name of LARA had changed to LAHA. He requested that the City stop promoting LAHA as a homeowners association, as it caused confusion to the homeowners in the area. He noted there was only one member of the five member lake board that would represent the interests of all homeowners. He commented that his concern was for the way the representative would be chosen if a Lake Board was instituted. The state law that spoke to a Lake Board said there could be three people chosen to represent the homeowners. He proposed that before voting to have a lake board, the Assessor run an assessment roll. A mail in ballot would be used much like when the special assessment was conducted for water and sewer installation.

**Jeffery Laz**, Vice President of LAHA, 135 Eubank, was present to talk about the Lake Board resolution and felt its purpose was to rid the lake of weeds. He noted there had been a tremendous increase in the weeds in the lake and their research showed that developing a Lake Board was the only way to treat the weeds. It would allow them to hire an engineering firm to do a study of the lake to identify the problems and solutions. He commented many people were concerned about the cost to the homeowners but that could not be determined until a study was done. He said there would be a series of public hearings prior to any assessments being levied, and asked for the support of Council.

**CONSENT AGENDA REMOVALS AND APPROVALS (See items A-F)**

**CM-08-11-194** Moved by Margolis, seconded by Staudt: **CARRIED UNANIMOUSLY:**  
To approve the Consent Agenda as presented.

**Roll call vote on CM-08-11-194** Yeas: Crawford, Gatt, Margolis, Mutch, Staudt,  
Mutch  
Nays: None

- A. Approve Minutes of:
  - 1. November 10, 2008 – Regular meeting
  
- B. Approval of contract extension to Hamilton Anderson Associates to provide additional design services, including construction documentation, bidding documents and field observation for Phases 1A and 1B of the development of Fuerst Park in the amount of \$17,000.

- C. Approval of an engineering contract amendment to Spalding DeDecker Associates, Inc. for additional engineering services associated with the design phase of the 2009 Pathway Construction Project in the amount of \$11, 700.
- D. Approval of the final balancing change order and final payment to Koala-T Construction Company, Inc. for the 2007 Sidewalk Construction program in the amount of \$9,045.10.
- E. Approval to award the Telephone System & Voicemail Upgrade bid to SunTel Services in the amount of \$75,000.
- F. Approval of Claims and Accounts – Warrant No. 781

**MATTERS FOR COUNCIL ACTION – Part I**

**1. Approval of Resolution adopting the Water System Master Plan report**

**CM-08-11-195 Moved by Margolis, seconded by; Crawford: CARRIED UNANIMOUSLY: To approve Resolution adopting the Water System Master Plan report.**

**Roll call vote on CM-08-11-195 Yeas: Gatt, Margolis, Mutch, Staudt, Landry, Capello, Crawford  
Nays: None**

**2. Approval to award design services for the creation of a park conceptual plan, including conceptual design of a recreation center and operational feasibility plan for the community center to Neumann Smith Architects in an amount not-to-exceed \$39,000.**

**CM-08-11-196 Moved by Crawford, seconded by Margolis; CARRIED UNANIMOUSLY: To approve to award design services for the creation of a park conceptual plan, including conceptual design of a recreation center and operational feasibility plan for the community center to Neumann Smith Architects in an amount not-to-exceed \$39,000.**

**DISCUSSION**

Member Gatt said he was in support of the motion for the study. He asked what the plans were on how Administration would fund the staffing and maintenance of the Recreation Center. He asked that the study included that aspect of it and commented he would like to see how other cities with recreation centers were doing in this economy. He said he wanted to know how they would maintain it financially.

Mayor Landry asked if the study included an Operational Feasibility Plan. Mr. Pearson responded said it was one of the key elements, and that the capital costs were a small fraction of the ongoing maintenance obligations.

Member Mutch asked if the study would determine what exactly would be incorporated to the signature park. He knew a lot of common elements had been discussed like the community recreation center, festival area, art in the park, theatre and senior center. Member Mutch said one of the things discussed in the RFP sent out to the bidders was the resident survey and indicated in that was that it would be conducted by the Novi Parks Foundation. He asked Mr. Auler to speak to what that would include and how it would be undertaken. Mr. Auler said it was time to do a new five year community recreation plan so they could have it on file with the State to be eligible for State and Federal grant funds. He said a part of that process was obtaining community input through two processes, which included a survey component. He said the Foundation funded the survey component so that they could gather information as it related to the community's perception of the park and recreation services and needs met and not met. He said once that survey was finalized he would look for the Chair of the Foundation to share that survey with the Council and then following that being able to administer the survey. Mr. Auler said it would give them the opportunity to determine what the unmet or met needs were within the community. He said that information would help with the programming and park aspects. Member Mutch asked if the survey would be a key component of developing the plan for this proposal. Mr. Auler replied that it was one tool, the work group that was appointed by Council would be another, staff input process would be another tool, utilizing the 2007-2010 Strategic Plan and the existing community recreation plan and the senior services strategic plan. He said taking all that information together would help to determine what the needs were within the community and then they would capture that into a concept plan, which would address Member Gatt's question as well. Mr. Auler said one of the key components of this was the Operations and Feasibility Plans to determine the operations cost and revenue costs. This would help them make informed decisions of what should be included in the concept. Member Mutch asked what the current timeline was. Mr. Auler said it had been backed up and they were still working on the question component with the firm and the Foundation Board. He said they hoped to have that information available by the second week in January. Member Mutch asked if that would be in time for the work proposed. Mr. Auler said the information could be incorporated. Member Mutch asked if the scope of the plan that would be brought forward would include the entire property. Mr. Auler said there would be a site plan for the park itself and a concept plan for the facility itself and then the key component following that was the operations component in terms of determining financial feasibility of the project. Member Mutch said the plan that would come forward would look at not only the signature park property but the Kaluzny property as well. Mr. Auler said yes, it was all one piece.

Member Mutch said he was concerned with how they were proceeding with that component of it. He thought the elements that would constitute the signature park and facilities that were a part of it really drove the costs, and the requests Council would make for a bond millage or any kind of operational millage that might be required to operate the facility. Member Mutch said as far as how this was proceeding, Council didn't have any say in the survey. He said he had not seen the survey or had any input on it except to be told that there was a survey. He said he was concerned because it was an important element of the development of it. He commented they were going to residents and asking what needs were not being met from their viewpoint from a recreational, cultural viewpoint and that Council needed to address in a facility in a park. Member Mutch thought, as a Council, they should have some input on it. He recognized they had a close association with the Parks Foundation but questions that were this central to the development of this property and facility, he thought, were ones Council

should have had input on. He commented he was disappointed to see it proceeding in that direction. He said he appreciated the Foundation picking up the cost. However, they would go to the voters and most likely ask for multi millions of dollars; to say they were not going to spend whatever the cost was associated with the survey was as a City and lose the opportunity for Council to have that input, he wasn't sure he followed the logic in that. He stated he was also looking for more background information regarding the survey and how that would be funded. He knew the Parks Foundation had some funding that they collected on behalf of the City. Member Mutch said going back and reading the agreement the Parks Foundation had with the City, there was language that gave the City Council input on how some of those funds were spent. He said they also had funds of their own and obviously, as an organization, they would have a say about how the funds were spent. Member Mutch said he just wanted that clarified because he wanted to make sure they were consistent with the language of the agreement and the City's role in that process in terms of how the funds were expended. Member Mutch thought it was important that they were going to look at the entire property. He noted he had been concerned with the discussion being really focused on the facilities, which he knew was a central part of the proposal. However, he thought if they looked at the surveys they had done of residents and the interest that a lot of residents had in parks and recreational facilities in this community, there had been a lot of desire to have things like greenways, paths, wildlife habitat improvements and opportunities for environmental education. He thought those things could be accomplished on the property in addition to the larger more tangible facilities that they had talked about in terms of a recreation center and a festival area, etc. He thought those would be addressed and it sounded like the scope of the project would include those according to Mr. Auler. However, if that was not clear going in, he would request that the study included, in the final proposal that came forward, something that looked at the more passive parkland development opportunities as well as the active component.

Member Staudt asked if the funds for the study were coming out of the Park Naming Rights revenue. Mr. Auler said no. Member Staudt said in the past, whenever there was a project specific to the City, the Park Foundation would allocate funds to the City and the City would undertake that operation, i.e. the scholarship programs and purchasing music for different organizations. He asked why this was different and why didn't the Foundation write a check to the City to allow Mr. Auler and his department to undertake this survey. He asked why they were getting this from the president of the Foundation. Mr. Auler said one of the purposes of the survey was to give the Foundation some market research information they could use in terms of moving forward with the Naming Rights Program. He said there was a lot of discussion by the Foundation Board to that effect and that was why they elected to fund the survey versus writing a check and giving it to the City to administer the program. He said they did intend to share the survey with Council and not excluding Council from that input opportunity. He asked if the survey was being undertaken by the Foundation, or was it being undertaken as a City project. He asked if the Foundation Board was working directly with the vendor who was providing the survey, or was this something that was coming from the City. Mr. Auler said he had been working with them.

Mayor Landry said with respect to the item on the agenda this evening, the design services, he was expecting the design to tell Council that they could lay the park out in this fashion, have these different amenities on these different parts of the park, there could be a central recreational building and for the theatre component it would cost this much. Or for the senior citizen component, it would cost this much and for the active recreation sport courts, it would

cost this much. He said then when Council got that information they could take that information along with the Master Plan and the general survey that was being redone now, along with the survey that the Parks Foundation was doing and look at it all and decide what to put to the voters. He said they could have a public hearing or have input on this and say Council thought they could afford this piece and this piece but could not afford this piece right now. He said Council could ask that it be built to add the unaffordable piece later. He asked if that was how this would lay out. Mr. Auler said he was correct. Mayor Landry said not only this was what it would cost to build it, but if this much of it was built, it would cost this much every year. Then Mr. Auler would tell Council and Council would be able to decide whether they could afford it or not based on admission price or what people paid for leagues or whatever they would pay for. Mr. Auler said Mayor Landry was correct. Mayor Landry stated he had no problem with this. He said it did include an operational feasibility plan and he was very pleased that the Park Foundation was working with them and it just showed another act of partnership, as the school board did when they worked with Council on the plan to begin with. He said he was very pleased that the Park Foundation was putting some money up for this and he understood that the survey was not only for Council and this plan but part of that survey was to help them in their entire Naming Rights project. He thought they had a liaison committee that was very familiar with the Parks Foundation and he thought the liaison committee they set up with two members of Council would let them know if they didn't think Council had enough input on the survey. Mayor Landry said he was fully in support of this.

Mayor Pro Tem Capello agreed with Member Mutch and thought if any survey was going out with regard to a City project, that Council as a whole should take a look at the questions possibly in an off week packet. Then they could call Mr. Auler with their comments and he could bring them to the Parks Foundation or members could call the Parks Foundation directly with comments. He commented that he was under the impression when the survey was being funded by the Parks Foundation it was for purposes of expediency and that the Council would then look at the cost of the survey and look at reimbursing them for the cost in the future. He said he didn't think that should be their cost. It should be the cost of the City but they were trying to help out by moving things ahead a little bit.

Member Margolis said she was very comfortable with this. She said they were undertaking a citizen survey this year, as they did two years ago, to help in their goal setting in Novi across all of their services. She said they had been gathering that information for this very purpose and she thought it was more valid. She said if the Foundation wanted to do a survey that would help them in Naming Rights, and then collaterally give Council a little additional information they should thank them for doing it. She said there was nothing stopping Council from doing a survey and thought they were mixing apples and oranges. She said based on the data two years ago from the citizen survey that was very solid, validated data about what citizens liked, didn't like and wanted, that was what she would be looking for. She commented that she thought Council had known for some time in general the kind of services citizens were looking for. She said they had seen it over and over again in a variety of services and input. She thought this study was really all about telling Council that based on the community plan and surveys this was how much it would cost and these were the tradeoffs that had to be made in order to do those, and then Council would have to make that decision. She said she was pleased they were moving ahead and was looking forward to the study.

**Roll call vote on CM-08-11-196**      **Yeas: Margolis, Mutch, Staudt, Landry, Capello, Crawford, Gatt**  
**Nays: None**

- 3. Approval of Memorandum of Understanding regarding acceptance of roads within Vista Hills Condominium.**

**CM-08-11-197**      **Moved by Margolis, seconded by Crawford; CARRIED UNANIMOUSLY: To approve Memorandum of Understanding regarding acceptance of roads within Vista Hills Condominium.**

**Roll call vote on CM-08-11-197**      **Yeas: Mutch, Staudt, Landry, Capello, Crawford, Gatt, Margolis**  
**Nays: None**

- 4. Consideration of the request to vacate Karevich Drive right of way, a frontage road in the West Oaks II shopping center, and approval of a resolution to set a public hearing for the December 15, 2008 City Council meeting.**

Mr. Pearson said this was a topic that had been around for quite awhile. The last time it was before Council they had asked for some specific suggestions to be incorporated into the proposal. He said they had tried to document and shared where Art Van was able to meet those and one of the things talked about specifically was another public street that could be designated as Karevich Drive so that recognition could be maintained. He said they had come up with a suggestion regarding that to the north of the Art Van facility.

Member Margolis said she appreciated the fact that they did listen at the last meeting on this, as they went through point by point and picked up some of the comments that they had made. She thought they had done a good job pulling all their concerns together and was pleased with what they came back with. She commented at the time that she was looking for a vacation that had some public benefit and thought that what they were proposing did. She said there were also some positive recommendations.

**CM-08-11-198**      **Moved by Margolis, seconded by Staudt; CARRIED UNANIMOUSLY: To approve the scheduling of a public hearing to consider the vacation of Karevich Drive.**

## **DISCUSSION**

Member Mutch stated he would reserve his comments in terms of specifics for after the Public Hearing when Council voted on this. He asked for clarification regarding the right-of-way along Novi Road from the Administration and Engineering. He said in the past material there were notes that additional right-of-way along Novi Road was not required but when looking at the plans with the sidewalk in place at the entrance to West Oaks Drive the sidewalk was quite close to the curb. He thought there was a problem there. There either wasn't enough right-of-way because the sidewalk couldn't be accommodated with an appropriate amount of additional landscaping, or maybe a design consideration that needed to be discussed. Also, he didn't realize in previous discussions that the right-of-way being given up was not only the actual street but heading further north there was quite a bit of right-of-way at the corner of the

proposed Karevich Drive and Novi Road. He said he was concerned that in the long term if they had to widen Novi Road, whether there would be sufficient right-of-way. He said they had right-of-way to the south but he had a concern about giving up that entire stretch and whether it would be appropriate to reserve another ten feet and giving up the rest of the right-of-way that was proposed. He asked for more information from Engineering on that before proceeding. He thought they had done a good job with a lot of the elements Council had tried to incorporate, which were all over the map recommendations from Council. He especially appreciated moving the building forward towards the road as he thought it was a much better look for the property.

Mayor Pro Tem Capello said if they go to Public Hearing and approve the vacation, at that point there was nothing they could do to tie this plan into the vacation of Karevich Drive, was there? Mr. Schultz said there was a proposal for an agreement that would tie the plan into the vacation and then a deed, which they would provide. He said between those two documents, he thought they would be covered. Mayor Pro Tem Capello said then the vacation was subject to the development and Mr. Schultz agreed. Mayor Pro Tem Capello said there was still one thing that was important to him that was missing. He said when they originally came to Council asking to vacate Karevich Drive they offered \$50,000 for the road and Council politely said they couldn't accept that for a vacation but they could put it into additional improvements along Novi Road. He said he still didn't see the improvements. He commented in front of Art Van there was the pedestrian plaza but that was for Art Van's benefit. He said what that did was open up an area where there would be landscaping, plantings and a berm and brought it down to street level so Art Van was more visible from the street. He said on each side of that pedestrian plaza he would ask that they take the \$50,000 and create some type of art work. He said they discussed how the benches didn't work in the Town Center because no one ever sat in them because they didn't walk there but they could come up with those architectural art pieces of brass benches, ladies standing there with umbrellas and things like that that would make it a little more pleasant and pedestrian friendly even though it realistically wasn't. He asked that they put the \$50,000 into four pieces of art and thought they could do that very easily and he would still like to see that. He had seen this in Macomb County and downtown Mt. Clemens and it made the downtown look like someone was there even if no one was there. He asked the applicant to look at that again.

Michael Zambricki, representing Art Van, stated they were committed to spending at least \$50,000 on various types of amenities such as that. He said one recommendation they received that they would like to do was a brick seating wall, three benches, a sculpture and a concrete planter on the corner of West Oaks Drive and Novi Road. They would also have some sort of architectural element as well on the one that was centered on the main store would go into that area as well. Mayor Pro Tem Capello said the pedestrian entranceway was to Art Van's benefit and he didn't see any of the \$50,000 going to that. He said on the corner, Council had done a lot to let them move that building around and the corner was at Art Van's cost. He said he was looking at the \$50,000 in addition to those two items with more along Novi Road itself. He said those two items were a part of their responsibilities as part of what Council was giving them. He said \$50,000 was kind of a bonus for free land and that was why he was looking for the extra money into extra art work right along Novi Road. Mr. Zambricki said they were quite open to more specific recommendations there might be. Mayor Pro Tem Capello said then he would ask Mr. Zambricki to call him.

Roll call vote on CM-08-11-198

Yeas: **Staudt, Landry, Capello, Crawford, Gatt,  
Margolis, Mutch**  
Nays: **None**

5. **Approval to award contract for the purchase of a Video Security System Upgrade from Camtronics, lowest qualified bidder, in the amount of \$160,075 for the Novi Police Department.**

CM-08-11-199

**Moved by Capello, seconded by Margolis; CARRIED  
UNANIMOUSLY: To award contract for the purchase of a Video  
Security System Upgrade from Camtronics, lowest qualified bidder,  
in the amount of \$160,075 for the Novi Police Department.**

Roll call vote on 08-11-199

Yeas: **Landry, Capello, Crawford, Gatt, Margolis,  
Mutch, Staudt**  
Nays: **None**

**AUDIENCE COMMENT - None**

**MATTERS FOR COUNCIL ACTION – Part II - None**

#### **COMMITTEE REPORTS**

Member Crawford represented Council at the SEMCOG meeting held to discuss their transit proposal for rail service between Ann Arbor and Detroit. She said with the amount of travel between the communities, they felt the schedule of service by 2010 would be consistent with the current amount of travel between the communities, lack of parking and increase in ridership in SMART and increase in the car park areas. Member Crawford noted there had been a surge in ridership statewide.

**MAYOR AND COUNCIL ISSUES - None**

**CONSENT AGENDA REMOVALS FOR COUNCIL ACTION - None**

**COMMUNICATIONS - None**

**AUDIENCE COMMENT - None**

#### **ADJOURNMENT**

There being no further business to come before Council, the meeting was adjourned at 8:26 p.m.

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David Landry, Mayor

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Maryanne Cornelius, City Clerk

Date approved: December 1, 2008

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Transcribed by Charlene Mc Lean